

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**REVA STACK, LEIGH JEAN KOINZAN
and ZITA DOUGLAS,**

Plaintiffs,

v.

**AMERICAN MEDICAL
INTERNATIONAL, INC., et al.**

Defendants.

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Case No.: 8:02CV266

**PLAINTIFFS' ORDER CERTIFYING CLASS CONDITIONALLY
(Joint Motion to Certify Class, Filing 86)**

The plaintiffs and defendants having jointly moved for an order certifying a class in the above-entitled matter consisting of all:

Employees who were employed at St. Joseph Hospital, The Center for Mental Health, the Omaha Health Professions Center, the Medical Clinics and/or the Apartment Building and Pediatric Beds, their successors or assigns (collectively referred to as "HOSPITAL") on or before November 18, 1984, who were eligible to participate in the Creighton Omaha Regional Healthcare Corporation ("CORHCC") St. Joseph Hospital Employees Pension Plan, became participants in the AMI-St. Joseph Pension Plan on that date ("PLAN") and who continued to be employed by HOSPITAL through December 31, 1995),

and plaintiffs having moved for an order appointing Fraser, Stryker, Meusey, Olson, Boyer & Bloch, P.C. and Gross and Welch, P.C. as Class Counsel; and

The parties having reached a settlement in this case and an agreement that an order certifying a class be entered; provided, however, that Defendant's agreement to the order certifying a class is contingent upon the approval of the settlement by this Court.

As all of the parties to the above-entitled action having executed the annexed Joint Memorandum in Support of Motion for Class Determination by their counsel, and upon due consideration, it is hereby

ORDERED AND ADJUDGED, that the joint motion for class determination is granted, as follows:

1. The Court concludes that the requirements for class certification pursuant to Fed. R. Civ. P. Rule 23 have been met and hereby certifies a class under Fed. R. Civ. P. Rules 23(a) and (b)(2) consisting of all:

Employees who were employed at St. Joseph Hospital, The Center for Mental Health, the Omaha Health Professions Center, the Medical Clinics and/or the Apartment Building and Pediatric Beds, their successors or assigns (collectively referred to as "HOSPITAL") on or before November 18, 1984, who were eligible to participate in the Creighton Omaha Regional Healthcare Corporation ("CORHCC") St. Joseph Hospital Employees Pension Plan, became participants in the AMI-St. Joseph Pension Plan on that date ("PLAN") and who continued to be employed by HOSPITAL through December 31, 1995);

subject to the condition that this order is contingent on approval of the parties' settlement by this Court; and

2. The Court appoint Reva Stack, Leigh Jean Koinzan and Zita Douglas as Class Representatives; and

3. The Court appoints Fraser, Stryker, et al. and Gross and Welch, P.C. as Class Counsel.

DONE AND ORDERED, in Omaha, Nebraska, this 1st day of December, 2005.

s/Joseph F. Bataillon
Joseph F. Bataillon
UNITED STATES DISTRICT JUDGE